(3) C.P.108 SINGLE BENCH (1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 5282 /2005

Petitioner

Sunita Renold, aged about 33 years, daughter of Shri Renold Ajik, Shiksha Karmi, Grade II, Resident of village Tikakala, Tahsil Pendra Road, Distt. Bilaspur (Chhattisgarh)

P.R. No. 5071/05 Presented by Shri Rekha Barue dated 22/9/05

VERSUS

Respondents

1. State of Chhattisgarh, through Secretary, Department of School Education, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. The Janpad Panchayat – Gourela, through Its Chief Executive Officer, Distt. Bilaspur (CG)

3. Vinay Kumar Choubey, Chief Executive Officer – Janpad Panchayat Gourela, Distt. Bilaspur (C.G.)

4. The Naib Tahsildar, Tahsil Gaurela, Distt. Bilaspur (C.G.)

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शपथ अंकित एस.के शुक्ला बिलासपुर (छ.ग.) बेलासपुर तहसील कोर्ट 3749

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

01) PARTICULARS OF THE PETITIONER

The detail of the petitioner is given in the cause title.

02) PARTICULARS OF THE RESPONDENTS

The Respondents are the State and its authorities and therefore they are amenable to writ jurisdiction.

XI-HC-22

(120)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 5282/2005 ~~सन् 200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11/12/2006

Shri Rajesh Pandey, learned counsel for the petitioner.

Shri Sanjay S. Agrawal, learned Govt. Advocate for respondent No.1/State

Shri Sadeep Dubey, counsel for the respondents No. 2 to 4.

Heard.

This writ petition has been filed on 27/09/2005 for the following reliefs:

1) To issue a writ in the nature of mandamus, whereby the Respondent No.2 and 3 be directed to grant two months time to the petitioner so as to enable her to get caste certificate from the Competent Authority for filing the same before them.

2) To issue a writ in the nature of certiorari for quashing the order dated 19/09/2003, passed in Revenue Case No.321/B-121/2002-03, by the Respondent No.4.

Two months' time as prayed for has lapsed a long back. Admittedly, the order passed by the Naib Tahsildar dated 19/09/2003 in Revenue Case No.321/B-121/2002-03 was challenged in revision as well in appeal and revisional Court dismissed the revision on the ground that the order is appellable whereas the appeal was dismissed for want of prosecution. When the petitioner has already challenged the impugned order before the higher forum, and final orders have been passed by the higher forum, the impugned order passed by the Nair Tahsildar dated 19/09/2003 merged with those orders. Even otherwise, petitioner's appointment was for the year 2004-05 and that academic year has passed a long back. Therefore, this petition not only has become infructuous, but also remained not maintainable at this juncture. Accordingly, it is dismissed.

Sd//-
V.K.Shrivastava
Judge

Raju

(पीछे देखिये)